

Note: The Nation has already adopted a Hazard Mitigation Plan as required by FEMA.

Muscogee (Creek) Nation Storm Shelter Program Policy

Purpose: To create policy to implement with the Nation's Storm Shelter Program that is designed to provide safe shelter and protection from violent storms, tornados, and unforeseen disasters.

Definitions:

- Applicant – an individual(s) who own(s) and occupy(ies) real property that is intended to be improved for safety and protection from natural disasters. Applicant must meet guidelines and be eligible for Storm Shelter Program.
- Application – a written form created and utilized by the Nation's Natural Resources program to be filled out, signed and dated by the Applicant which includes information the Nation needs to determine whether the Applicant is eligible and approved for the Storm Shelter Program. The form will be developed by the Nation's Natural Resources program.
- Primary Residence – the dwelling in which the owner resides and to which he/she holds title. Title must be recorded for ownership. Applicants who are participating in the NAHASDA Lease to Own Program are eligible to apply. An individual may only have one Primary Residence. The Primary Residence must be within the jurisdictional boundaries of the Muscogee (Creek) Nation.
- Storm Shelter Program - to provide storm shelters for privately owned homes of Muscogee (Creek) citizens living within the jurisdictional boundaries.
- Rural – outside of city limits.

Applicant Requirements:

- Copy of Muscogee (Creek) Nation citizenship card
- Social Security cards for all household members
- Copy of clear title and/or warranty deed to show proof of home ownership
- Copy of mail with name and address to show Primary Residence
- All required Application forms completed
- No accounts in default, outstanding debt owed, or delinquent status with the Muscogee (Creek) Nation Housing Department
- Documentation from physician if you are handicapped or disabled and requesting above ground shelter

Preference:

The Storm Shelter Program will award preference points for each category an Applicant qualifies for. This point system allows for special consideration of those Muscogee (Creek) citizens who may be of higher risk of safety concern.

- Muscogee (Creek) Nation Elder citizens – 65 years and older
- Muscogee (Creek) Nation citizens who are handicapped and/or disabled (must provide doctor's note)
- Muscogee (Creek) Nation veteran citizens
- Muscogee (Creek) Nation citizens who reside in rural areas
- Muscogee (Creek) Nation citizens

General Information:

The Muscogee (Creek) Nation will provide limited funding for the installation of approved storm shelters for eligible citizens who are homeowners. Eligible citizens must apply and be awarded. The payment will only be made after the Natural Resources Manager has approved the application and the Tribal citizen has received a letter of approval for the program and the Tribal citizen returns the vendor/contractor's invoice and proof of warranty after the shelter has been installed. The contractor will be selected by the Muscogee (Creek) Nation; Homeowner may not select a different contractor. Homeowners may install a below- or above- ground storm shelter. However, if an applicant is requesting an above-ground storm shelter, they must provide documentation of physical capabilities that warrant an above ground safe room (i.e. Doctor's note identifying the restriction or limitation such as use of walker, cane, or wheelchair).

Program Process:

1. The Applicant will request or pick up application from Natural Resources Department.
2. Applicant will complete application and submit all necessary support documentation to the Natural Resources Department.
3. The Natural Resources Manager or other designated employee shall review application, award applicable preference points, and approve eligible Storm Shelter Program applications.
4. Award or denial letters will be mailed out to applicants. Awarded applicants will also receive a letter of information authorizing installation of storm shelter by the approved contractor.
5. Awarded applicants have 15 days to confirm receipt of letter and participation in the program.
6. Awarded Applicant will work with approved vendor/contractor to get preapproved storm shelter ordered and installed.

7. Nation will issue payment directly to contractor after all necessary documents are received (Applicant's voucher, original invoice, and proof of warranty of storm shelter).

Allowable Uses:

The storm shelter program is designed to provide safe shelter and protection from violent storms, tornadoes, and other unforeseen natural disasters. The Storm Shelter Program assistance is a type of tribal grant awarded to eligible citizens that is paid directly to the vendor or contractor or appropriate agency that requires specific types of fees for permits, fees, or licensing requirements to install a storm shelter, and will be FEMA certified.

Unallowable Uses:

Storm shelters shall not be used for storing items such as electronic equipment, household items, household furniture, or any other unnecessary items. Only necessary emergency items may be kept in the shelter.

Payment:

For storm shelter installation, the Nation will make direct payment to the party performing the work. At no time will payments be made directly to the homeowner for any material or contractor invoices. The cost for any extra amenities, such as handrails, extended steps or ladders, or any other addition(s), will be at the sole expense of the Homeowner. Please be aware of the type of shelter you choose. Some shelters will have an additional cost(s) associated with them. The voucher is only valid for amount listed and is the only amount the Nation is agreeing to pay. Any amount that exceeds the approved amount on the voucher will be the responsibility of the Homeowner. The program will be dependent upon availability of funds. There are no income limitations.

Inspection:

For storm shelter installation, Muscogee (Creek) Nation Building Inspector will conduct an inspection upon completion of the project with the homeowner. A certification of completion will be signed by the homeowner along with the inspector and the contractor prior to final payment being issued.

All completed work must be inspected to assure that work completed meets any Housing Quality Standards established by the Muscogee (Creek) Nation Housing Department, if applicable.

All home must be inspected prior to being installation of storm shelter in assure that the proper level of environmental review has been conducted in accordance with

the National Environmental Policy Act (NEPA) and any other applicable statutes and regulations.

All applicants who request and approved for an above ground storm shelter shall be responsible for ensuring a proper cement slab is available to place the shelter on.

Resale Restriction:

Documents for the Storm Shelter Program shall include resale restrictions and a binding agreement. (For example, if the owner applicant sells or transfers title to the home within a timeframe established by NAHASDA, if applicable, the entire amount or a designated percentage of the cost of storm shelter may be required to be paid back to the Nation or the Nation's Housing Department.)

If, at any time, the owner applicant sells or transfers title to the home, the owner applicant must repay the Nation any balance due, as stated in the binding agreement.

Program Restrictions:

- Applicant is only eligible for a storm shelter for their Primary Residence
- If Applicant lives in a mobile home, they must own both the mobile home itself and the land it is located on to be eligible
- Storm shelters are awarded one time only to each family in order to meet the needs of all Muscogee (Creek) Nation citizens
- Apartment complexes, duplexes, and other multi-family residences are not eligible for this program. If you live in a rent home you are not eligible for this program.
- A waiting list will be established based upon preference points listed above should funding run out.
- If you previously installed a storm shelter it does not qualify for retroactive eligibility.
- The homebuyer/homeowner/applicant shall be responsible for having any necessary warranty work performed on the storm shelter installation at their home.
- All eligible applicants selected to participate in the storm shelter program shall sign a Storm Shelter Program Agreement with the Nation.

Appendices:

- Sample Storm Shelter Program Application
- Sample Storm Shelter Program Agreement
- Sample Storm Shelter Program Waiver